

**LICENSING BOARD MEETING** **-AGENDA-** **TUESDAY, JULY 20, 2021**  
**(In Person Meeting)** **3<sup>rd</sup> Floor Meeting Room, New Bedford Main Library, 613 Pleasant Street – 7:00 p.m.**

**REQUIRED:** Steven A. Beaugard, Chairman  
 Marcelino “Sonny” G. Almeida, Commissioner  
 Edmund F. Craig, Jr., Commissioner  
 Atty. Kreg Espinola, Asst. City Solicitor  
 Lt. Justin Kagan, Police Department Liaison to the Lic. Bd.  
 Nick Nanopoulos, Director

**A/O 07/14/21**

• **APPROVALS RECEIVED FROM THE ABCC (5)**

**New Non-Transferrable Farmer Brewery Pouring Permit under Chapter 138, Section 19C (n)**

**New Lic. # 06180-BP-0778 (Old Tr. #247) – Plot # 12--77**

**Cisco Brewers New Bedford, Inc. d/b/a Cisco Brewers New Bedford** which is petitioning for a **New Non-Transferrable Farmer Brewery Pouring Permit under Chapter 138, Section 19C (n)**. Upon approval, Charles Hudson will be the President, a Co-Director, and a Co-Shareholder (20%), Wendy Hudson will be the Treasurer, and a Co-Shareholder (20%), Melissa Long will be the Secretary and a Co-Shareholder (20%), Dean Long will be a Co-Director and a Co-Shareholder (20%), and Jason D. Harmon will be the CEO, a Co-Director, and a Co-Shareholder (20%); and **James Strobino** is the **Proposed Manager of the Pouring Permit**.

The proposed area of the licensed premises is approximately 5,397 sq. ft., which includes a brewery that is contained within a 20’ x 8’ (approx. 160 sq. ft) metal building. The “Building” is divided into three rooms, the “Brewery Production Area” 80 sq. ft.), the “Bonded Storage Room” (30 sq. ft.), and the Post Tax Storage and Sales Room" (50 sq. ft.). Only the Brewery Production Area and the Bonded Storage Room are part of the brewery premises. The licensed premise includes the area on which the “building” sits in which brewing activities and bonded storage will take place, along with takeout services; as well as the surrounding area which includes two other pouring stations that sit on the licensed premises, one in the northern corner of the parcel and the other in the southern corner. The pouring stations are each contained within 20’ x 8’ metal structures. There is also a 20’ x 8’ retail sales to go and merchandise structure, a stage, a bocci court, a bathroom station, two food stations, and an I.D./security hut on the licensed premises; as well as a locked cooler on the southwestern corner of the parcel. All music & entertainment must cease by 10:00 p.m. (as ordered by the Planning Board) and should be at such a level that would not be a disruption to the neighbors. The entire licensed area will be secured by a fence and access to the ‘outdoor patio entertainment area’ will be manned by security where I.D.’s will be checked, and wristbands will be issued to those 21 or older. No alcohol will be allowed to leave the enclosed area. The ‘outdoor patio entertainment area’ will have four (4) entrances/exits, which must always be manned by security.

The premise is situated on the east side of East Rodney French Boulevard between Norman and Clara Streets, and will now be numbered **1494 East Rodney French Boulevard**.

**Approved by the ABCC – 07/01/21**

**New’ Non-Transferrable Farmer Winery Pouring Permit under Chapter 138, Section 19B (n).**

**New Lic. # 06181-PP-0778 (Old Tr. #245) – Plot # 12--77**

**Nantucket Vineyard New Bedford, Inc. d/b/a Cisco Brewers New Bedford** which is petitioning for a ‘**New’ Non-Transferrable Farmer Winery Pouring Permit under Chapter 138, Section 19B (n)**. Upon approval, Charles Hudson will be the President, a Co-Director, and a Co-Shareholder (20%), Wendy Hudson will be the Treasurer and a Co-Shareholder (20%), Melissa Long will be the Secretary and a Co-Shareholder (20%), Dean Long will be a Co-Director and a Co-Shareholder (20%), and Jason D. Harmon will be the CEO, a Co-Director, and a Co-Shareholder (20%); and **James Strobino** is the **Proposed Manager of the Pouring Permit**. The proposed area of the licensed premises is approximately 13,778 sq. ft., which includes a winery that is contained within a 20’ x 8’ (approx. 160 sq. ft) metal building. The “Building” is divided into three rooms, the “Winery Production Area” 80 sq. ft.), the “Bonded Storage Room” (30 sq. ft.), and the Post Tax Storage and Sales Room" (50 sq. ft.). Only the Winery Production Area and the Bonded Storage Room are part of the winery premises. The licensed premise includes the area on which the “building” sits in which vintning activities and bonded storage will take place, along with takeout services; as well as the surrounding area which includes two other pouring stations that sit on the licensed premises, one in the northern corner of the parcel and the other in the southern corner. The pouring stations are each contained within 20’ x 8’ metal structures. There is also a 20’ x 8’ retail sales to go and merchandise structure, a stage, a bocci court, a bathroom station, two food stations , and an I.D./security hut on the licensed premises; as well as a locked cooler on the southwestern corner of the parcel. All music & entertainment must cease by 10:00 p.m. (as ordered by the Planning Board) and should be at such a level that would not be a disruption to the neighbors.

The entire licensed area will be secured by a fence and access to the 'outdoor patio entertainment area' will be manned by security where I.D.'s will be checked, and wristbands will be issued to those 21 or older. No alcohol will be allowed to leave the enclosed area. The 'outdoor patio entertainment area' will have four (4) entrances/exits, which must always be manned by security. The premise is situated on the east side of East Rodney French Boulevard between Norman and Clara Streets, and will now be numbered **1494 East Rodney French Boulevard.**

**Approved by the ABCC – 07/01/21**

**New Non-Transferrable Farmer Distillery Pouring Permit under Chapter 138, Section 19E (o)**

**New Lic. # 06182-DP-0778 (Old Tr. #246) – Plot # 12--77**

**Triple Eight Distillery New Bedford, Inc. d/b/a Cisco Brewers New Bedford** which is petitioning for a **New Non-Transferrable Farmer Distillery Pouring Permit under Chapter 138, Section 19E (o)**. Upon approval, Charles Hudson will be the President, a Co-Director, and a Co-Shareholder (20%), Wendy Hudson will be the Treasurer and a Co-Shareholder (20%), Melissa Long will be the Secretary and a Co-Shareholder (20%), Dean Long will be a Co-Director and a Co-Shareholder (20%), and Jason D. Harmon will be the CEO, a Co-Director, and a Co-Shareholder (20%); and **James Strobino** is the **Proposed Manager of the Pouring Permit**. The proposed area of the licensed premises is approximately 4,799 sq. ft., which includes a distillery that is contained within a 20' x 8' (approx. 160 sq. ft) metal building. The "Building" is divided into three rooms, the "Distillery Production Area" 80 sq. ft.), the "Bonded Storage Room" (30 sq. ft.), and the Post Tax Storage and Sales Room" (50 sq. ft.). Only the Distillery Production Area and the Bonded Storage Room are part of the distillery premises. The licensed premise includes the area on which the "building" sits in which distilling activities and bonded storage will take place, along with takeout services; as well as the surrounding area which includes two other pouring stations that sit on the licensed premises, one in the northern corner of the parcel and the other in the southern corner. The pouring stations are each contained within 20' x 8' metal structures. There is also a 20' x 8' retail sales to go and merchandise structure, a stage, a bocci court, a bathroom station, two food stations, and an I.D./security hut on the licensed premises; as well as a locked cooler on the southwestern corner of the parcel. All music & entertainment must cease by 10:00 p.m. (as ordered by the Planning Board) and should be at such a level that would not be a disruption to the neighbors. The entire licensed area will be secured by a fence and access to the 'outdoor patio entertainment area' will be manned by security where I.D.'s will be checked, and wristbands will be issued to those 21 or older. No alcohol will be allowed to leave the enclosed area. The outdoor patio entertainment area' will have four (4) entrances/exits, which must always be manned by security. The premise is situated on the east side of East Rodney French Boulevard between Norman and Clara Streets, and will now be numbered **1494 East Rodney French Boulevard.**

**Approved by the ABCC – 07/01/21**

**New Non-Transferrable Master Pouring Permit under Chapter 138, Section 19H**

**New Lic. # 06180-BP-0778 (Old Tr. #248) – Plot # 12--77**

**Cisco Brewers New Bedford, Inc. d/b/a Cisco New Bedford Brewers** which is petitioning for an **Altering of Premises** to include a **New Non-Transferrable Master Pouring Permit under Chapter 138, Section 19H**. to allow for a 19C (n) Farmer Brewery Pouring Permit, 192 (n) Farmer Winery Pouring , and a 19E (o) Distillery Pouring Permit to be combined under one pouring permit to be used within the entire licensed premise (23,974 sq. ft.). Upon approval, Charles Hudson will be the President, a Co-Director, and a Co-Shareholder (20%), Wendy Hudson will be the Treasurer and a Co-Shareholder (20%), Melissa Long will be the Secretary and a Co-Shareholder (20%), Dean Long will be a Co-Director and a Co-Shareholder (20%), and Jason D. Harmon will be the CEO, a Co-Director, and a Co-Shareholder (20%); and **James Strobino** is the **Proposed Manager of the Pouring Permit**. The proposed premises to be licensed under M.G.L. c. 138 § 19H is an outdoor patio approximately 23,974 sq. ft. Located on the proposed licensed premises is a farmer brewery, where Cisco Brewers New Bedford, Inc. manufactures beer, a farmer winery, where Nantucket Vineyard New Bedford, Inc. vints wine, and a farmer distillery where Triple Eight Distillery New Bedford, Inc. distills spirits. Each manufacturer is commonly owned by the exact same five individuals, as set forth in the 19H application. Each will be housed in a 20' x 8' metal container, which will be used for production, storage, and take away sales. There are also two pouring stations on the 19H premises where beer, wine and spirits will be sold. The pouring stations are each contained within 20' x 8' metal structures. There is also a 20' x 8' retail sales to go and merchandise structure, a stage, a bocci court, a bathroom station, two food stations , and an I.D./security hut on the licensed premises; as well as a locked cooler on the southwestern corner of the parcel.

All music & entertainment must cease by 10:00 p.m. (as ordered by the Planning Board) and should be at such a level that would not be a disruption to the neighbors. The entire licensed area will be secured by a fence and access to the 'outdoor patio entertainment area' will be manned by security where I.D.'s will be checked, and wristbands will be issued to those 21 or older. No alcohol will be allowed to leave the enclosed area. The outdoor patio entertainment area' will have four (4) entrances/exits, which must always be manned by security. The premise is situated on the east side of East Rodney French Boulevard between Norman and Clara Streets, and will now be numbered **1494 East Rodney French Boulevard.**

**NOTE:** On 03/02/20, the Licensing Board unanimously voted to approve an application for a transfer of a Common Victualler (Restaurant) All Alcoholic Beverages License for 1480-1494 East Rodney French Boulevard with the following stipulations:

1. All employees must complete an Alcohol 'Server Certification' course prior to opening and provide proof of such certification to this office.
2. All outdoor entertainment must cease at or before 10:00 p.m.

The Board also suggested the following:

- All music and entertainment must remain at a level so as not to disturb the neighbors.
- The staff will make a concerted effort to keep the area free of debris and cigarette butts.
- An effort will be made to contain parking to the lots under the licensee's control. Employees will be refrained from parking on city streets.
- Signs will be posted reminding patrons to be respectful of neighbors and to keep noise to an acceptable level when leaving the premises.

Lastly, I ask that you update our office as to your plans to handle the smoking related issue. Allowing patrons to leave the gated area to smoke in or around the parking area may not be the best solution. Perhaps some small designated area can be found on site or you may want to consider making it a non-smoking venue.

**Approved by the ABCC – 07/01/21**

**Change of Officers, Directors, & Manager - Tr. #00118-GP- 0778– Plot # 47—45--A**

**Zeiterion Theatre, Inc., Michael Tavares, (New), President**, who is petitioning for a **Change of Officers, Directors, and Manager of the General on Premise All Alcoholic Beverages license**. The petitioner is requesting that the resignations of the current slate of Officers and Directors currently on file with the Alcoholic Beverages Control Commission be accepted, and be updated as follows, per the Commission's directive of 09/30/14. Upon approval, Michael Tavares will be the President and a Co-Director, Joseph Nauman will be the Vice-President and a Co-Director, Christie Marotta will be the Treasurer and a Co-Director, and Frank Almeida will be the Clerk and a Co-Director. No change in Stock Interest (Non-Profit). The petitioner is also requesting the approval of **Jason Choquette** who resides at 29 Branch Road, East Bridgewater, MA. **as their new Manager**. Premises will remain the same at **684-686 Purchase Street**.

**Approved by the ABCC – 07/07/21**

**1. Petition - Tr. #88967 – PK - 778 – Plot # 60—13 (No Representation Required)**

**Standard Marine Outfitters, LLC, James A. Rego, Manager**, who is petitioning for a **Change of Location from 137 Pope's Island to 143 Pope's Island**; and the **addition of a d/b/a of True Value Standard Marine & Hardware of a Retail Package Store Wine and Malt Only Beverages License**. The new proposed licensed premises is a marine outfitters and hardware supply store located on the 1<sup>st</sup> floor of a one-story building in an area approximately 15,450 sq. ft. The area consists of two rooms for the retail sale of marine and hardware products; and will include a cooler for the storage of alcohol, as well as shelving for the sale and display of alcohol. There is one (1) entrance/exit in the front of the building, as well as three (3) other emergency exits, as well as a garage door with a ramp for deliveries and pick-ups on the west side of the building. **James A. Rego** will remain as **Manager of the Liquor License**. The premise is situated on the north side of Route 6 and will be **numbered 143 Pope's Island**.

Final approval will require a 'Certificate of Occupancy' from the Building Department.

*Application has been advertised; Abutters Have Been Notified.*

**\*\*\* Special One-Day Licenses (6)\*\*\***

**2. APPLICATION, (No Representation Required)**

**The Performance Arts Collective, Inc., Kevin Mitchell, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Play' to be held at the **Rotch-Duff -Jones House**, located at **396 County Street**; and to be held on **Thursday, July 22, 2021, from 6:00 p.m. until 8:30 p.m.**

**3. APPLICATION, (No Representation Required)**

**The Performance Arts Collective, Inc., Kevin Mitchell, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Play' to be held at the **Rotch-Duff -Jones House**, located at **396 County Street**; and to be held on **Friday, July 23, 2021, from 2:00 p.m. until 9:00 p.m.**

**4. APPLICATION, (No Representation Required)**

**The Performance Arts Collective, Inc., Kevin Mitchell, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Play' to be held at the **Haskell Gardens**, located at **787 Shawmut Avenue**; and to be held on **Friday, August 13, 2021, from 2:00 p.m. until 7:00 p.m.**

**5. APPLICATION, (No Representation Required)**

**The Performance Arts Collective, Inc., Kevin Mitchell, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for a 'Play' to be held at the **Haskell Gardens**, located at **787 Shawmut Avenue**; and to be held on **Saturday, August 14, 2021, from 2:00 p.m. until 7:00 p.m.**

**6. APPLICATION, (No Representation Required)**

**Prince Henry Society, Manuel Pereira, Representative** who is requesting approval of an application for a **Special One-Day All Alcoholic Beverages License** for their '11<sup>th</sup> Annual Summerfest Benefit' to be held within the **Madeira Field Pavilion Area**, located at **50 Madeira Avenue**; and to be held on **Saturday, August 28, 2021, from 6:00 p.m. until 11:00 p.m.**  
**\*\*NO CHANGES, AS PREVIOUSLY APPROVED\*\***

**7. APPLICATION, (No Representation Required)**

**South Coast Business Alliance, Kevin R. Trahan, Representative**, who is requesting approval of an application for a **Special One Day Wine & Malt Only Beverages License** for their '15<sup>th</sup> Annual Oktoberfest Fundraiser' to be held on **City Pier 3**; and to be held on **Saturday, October 2, 2021 from 3:00 p.m. until 11:45 p.m. (Last call will be at 11 p.m.) (Final approval will require Liquor Liability with the City named as additionally insured and a copy of the Police Detail Contract) \*\*NO CHANGES, AS PREVIOUSLY APPROVED APPROVED\*\***

**8. APPLICATION, (New Owner Application)**

**Altun Bakhshaliyev**, who resides at **283 Union Street, New Bedford, MA.** is requesting approval of an application for a 'New' **Motor Vehicle Class II Used Car Dealer license** for **039 Auto Sales. Inc. d/b/a 039 Auto Sales.** The previously approved licensed premise consists of a concrete building which includes a customer waiting area, office, two bathrooms, and a three-bay repair garage; with a total outside display area approx. 7,750 sq. ft. which is blacktopped. The premise is situated on the east side of Rockdale Avenue on the corner of North Street and Rockdale Avenue and is numbered 832 Rockdale Avenue. **There are to be no cars, registered or unregistered, are to be parked on the street or sidewalk.**

**Note:** Site was last licensed to **Clear Auto Sales2, Inc.**, which was not renewed for 2020; and was previously for the display of **Eighteen Cars (18) cars for display** by the Office of Inspectional Services.

**Final Approval of the Motor Vehicle Class II License requires a 'Change of Tenant' from the office of Inspectional Services, a \$25,000.00 Bond and a Notarized Letter stating where repairs will be done.**

**\*\*\*Special Permit Has Been Approved\*\*\*\***

**9. Hearing: Fmania's Auto Service & Repair**

**Mr. Eusebio Fmania, Licensee**  
**699 Brock Avenue,**

**Your presence** is requested at a hearing being held at the request of the Commissioner of Buildings and the City of New Bedford Code Enforcement Task Force based on the following:

On July 8, 2021 a task force team inspection including building department, health department and fire department conducted a "Special Investigation" to a complaint and found the following violations; 1- a total of 21 vehicles including 2 tow trucks on the lot, it is my understanding that they are allowed to have 12 vehicles and 2 tow trucks, we also found vehicles belonging to his business parked in residential parking spaces. The sidewalk and gutter area were also found to be unmaintained and littered. Please note that access was denied to inspect the property and all observations were made from plain sight. We spoke to the owner's father who refused entry and could not contact the owner (son). The task force sited the business to be a "Nuisance" by definition in Article VII Sec.6-121 ( Interference with the common interest of the public). A warning was issued that if conditions were not corrected, applicable fines and penalties would be assessed. The task force also stated that the licensing board would be made aware of our finding and consider our reports for license renewal.

Be advised, all licensees must maintain a facility dedicated to carrying out said business and all licensees must adhere to all conditions of the issued license.

Short of full compliance, the Board must act and **as such you will be required to bring in your 2021 MV Class II License.** Depending on the Board's findings, you may be required to surrender your license until this matter is resolved.

**10. Hearing: TCHATCHU, LLC d/b/a**  
**Morna Lounge and Grill**  
**Mr. Mateus Jose Barbosa, Manager/Co-Owner**  
**1613-1621 Acushnet Avenue**

**Opened On 03/01/21**

Your presence is requested at a meeting to determine whether you have violated certain provisions of ABCC Regulations and Licensing Board Rules and Regulations.

The Board has received several complaints from the New Bedford Police Department. The reports indicate a steady rise of calls to service to your location for disturbances relative to overcrowding and the over serving of alcohol.

Over the past 60 days there have been incidents of multiple fights including one in which a firearm was recovered as well as an incident in which patrons were observed leaving your premises with drinks in their hands at 3:54 a.m.

Your presence before the board is in the form of a meeting and not a hearing with the hope that we can have a meaningful dialogue in addressing the number of complaints involving your establishment. I kindly ask in preparation of this meeting that you give some thoughts to your current business plan and your thoughts towards customer safety going forward.

**11. Hearing: H. A. Sports, Inc. d/b/a Legend's Sports Pub**  
**Mr. Haldo Arriaga, Manager/Owner**  
**78 Covell Street**

Your presence and that of Maria Alvarado is requested at a meeting to determine whether you have violated certain provisions of ABCC Regulations and Licensing Board Rules and Regulations.

The New Bedford Police Department has requested that you be brought before the Licensing Board as a result of a June 6, 2021 incident in which a patron was stabbed on your premises. The police report also references an increased number of calls to your establishment.

Your presence before the board is in the form of a meeting and not a hearing with the hope that we can have a meaningful dialogue in addressing the number of complaints occurring at your establishment. I kindly ask in preparation of this meeting that you give some thoughts to your current business plan and your thoughts towards customer safety going forward.

- **CORRESPONDENCE**

--NONE--

- **COMPLAINTS RECEIVED:**

--NONE--

- **REVIEW POLICE DEPARTMENT INCIDENT REPORTS/ COMPLAINTS**

<b><u>NAME</u></b>	<b><u>POLICE REPORT#</u></b>	<b><u>DATE</u></b>	<b><u>VIOLATION</u></b>
1. The Vault Music Hall	21-1544-AR	07/03/21	Disorderly Contact (Approximate Time of Violation 1:54 a.m.)
	21-1545-AR	07/03/21	Disorderly Conduct (Approximate Time of Violation 1:54 a.m.)

21-1547-AR	07/03/21	Disorderly Conduct (Approximate Time of Violation 1:54 a.m.)
21-7345-OF	07/03/21	Police Complaint/Safety Concerns (Approximate Time of Violation 1:54 a.m.)
21-7342-OF	07/03/21	Intoxicated Persons (Approximate Time of Violation 3:48 a.m.)
21-1572-AR	07/05/21	Assault & Battery (Domestic) (Approximate Time of Violation 1:52 a.m.)
21-1642-AR 21-1643-AR 21-1644-AR 21-1645-AR	07/11/21	Patrons Leaving Premises With Alcohol/Disorderly Persons Serving To Intoxication/  (Approximate Time of Violation 2:00 a.m.)

- **NEXT TWO MEETING DATES:** August 24<sup>th</sup> & September 21, 2021, both on Tuesday Nights and both will be held in the 3<sup>rd</sup> Floor Meeting Room, of the New Bedford Main Library, located at 613 Pleasant Street.
- **MEETING ADJOURNED:**

The matters listed are those reasonably anticipated by the Chair to be discussed at the meeting. Not all items listed may, in fact, be discussed. Other items not listed may be brought up for discussion to the extent permitted by law.

Massachusetts General Laws, chapter 30A, Section 20(f) requires any person making a video or audio recording of the meeting to notify the Chair at the start of the meeting.